

Sheila Stoeller



0000099363

From: Abe & Linda Greenberg [abe_greenberg@msn.com]
Sent: Sunday, June 14, 2009 4:41 PM
To: Mayes-WebEmail
Cc: abe_greenberg@msn.com
Subject: FW: WATER COMPANY MINUTES

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CORP COMMISSION
DOCKET CONTROL

Ms. Mayes - I am a resident of ICR and have been listening to these malcontents, Skip Reed, Dayne Taylor and Gene Leasure for the past two years. I believe they have made a mountain out of a mole hill and will not be satisfied with any outcome. They continue to be divisive and I frankly am disgusted with this whole drama that they have made so very personal and have made inunedos that former board members are somehow personally profiting from their positions and actions taken while on the board.

Is what Gene Leasure saying in this missive credible or just another exaggeration to get more people in his camp?

If it is credible, I believe you should quit adding fuel to their fire as they will never quit and they will break our water company.

Arizona Corporation Commission

DOCKETED

Sincerely

Linda Greenberg

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From: azgene98@hotmail.com
To: flysr22@cableone.net; abe_greenberg@msn.com; djgross43@aol.com; jagdesign@earthlink.net; bophad13@yahoo.com; babesug@cableone.net; phas@earthlink.net; ijhawksworth@yahoo.com; mmhecht@cableone.net; mrshilk@hotmail.com; blue54@cableone.net; r_holt@mac.com; d_holt@mac.com; helaine@cableone.net; asurhoskin@cableone.net; rjhoward@cableone.net; atclipsplace@aol.com; grussellhubbard@yahoo.com; ed-marie@earthlink.net; gwj2001@hotmail.com; joykaiser@wil.midco.net; bnckay@msn.com; schollyk@yahoo.com; b_kirkbride@yahoo.com; maxman@cableone.net; madre5_6884@msn.com; jpkowalewski@msn.com; slavoy2@yahoo.com; lrlavoy2@yahoo.com; azgene98@hotmail.com; glockwood@commspeed.net; tleeglee@cableone.net; escort74@cris.com
Subject: WATER COMPANY MINUTES
Date: Sun, 31 May 2009 10:32:18 -0700

ALL: My name is Gene Leasure. I have attended the ACC RATE CASE open hearings and the May 29, 2009 Water Board Meeting and agree that the membership should know the following:

Talking Rock Directors Vote to Sanitize Minutes of the May 5 Meeting of the Water Board.

At the May 29, 2009 Water Board meeting, Directors Shirley Lillian and Hal Lobaugh, both from Talking Rock, voted to remove comments from the May 5 Water Board meeting made by the two Directors from ICR (Bill Meyer and Jimmy Stoner). Meyer and Stoner reported on favorable comments made by ACC chairperson Kristine Mayes and other ACC Commissioners at the ACC's April 28, 2009 Hearing concerning the appropriateness and importance of Dayne Taylor's intervention in our rate case.

As reported by Meyer *"Chairman Mayes went out of her way at the hearing commending Dayne Taylor and Skip Reid for exposing compliance issues and that the Board and Harvard were out of compliance with the previous order that allowed us to extend our service area. She commented that Dayne's Intervention has resulted in a state wide effort to address golf course's ground water use in a different way than they had in the past. As further stated by Meyer, "This part of Dayne's intervention needs to be recognized, even by the Board. The ACC accepted the WSA as worked out by the parties with minor changes."*

Jimmy commented that *"Chairman Mayes talked about the dysfunctional water laws in Arizona and how some developers can get around the laws and spirit of the law. She was very complimentary of Dayne and Skip for bringing up the excessive water use by Talking Rock Golf about 2 years ago, well in advance of rate case being filed. Also, the ICR community was probably not aware of the effect this case and excessive ground water use has had on cases coming before them today and coming before the Commission in the future. Commissioner Newman mentioned they need to pay attention and work with the Legislature to effect changes in the laws so water use is better controlled. Commissioner Mayes was very complimentary of this being brought before the commission. If it hadn't come up now it would probably continue with no telling how many years it would continue to go on. She was not in favor of this ground water use but felt this was the best deal they could get under the circumstances. She also said she felt it was appalling the residents were paying more than twice the rate the Golf Course was paying. She felt it was unconscionable, but there was nothing that could be done about it. Commissioner Newman commented that this is not happening in Cochise County. You cannot use ground water on golf courses, yet he reluctantly would go along with the order. Commissioner Kennedy felt the residents were getting a "bad deal" and she voted against it! Commissioner Stump voted yes. So it passed. But clearly, in spite of the bad press Skip and Dayne have gotten relative to this rate case, that certainly was not echoed by the Commission, it was just the opposite. I think it's important everyone in this community know that."*

Directors Lillian and Lobaugh both wanted these statements removed from the minutes although they accurately reflect comments made by the ACC commissioners and in spite of the fact that the Board's minutes should accurately reflect statements made by its Directors.

The basis of Lillian's position for removal was that the comments of Meyer and Stoner do not reflect the business of the Board. This position overlooks the fact that the Board has spent nearly all of the last 1 and 1/2 years on the rate case, including fighting Taylor's intervention. This effort incurred more than \$350,000 in legal, CPA, and other fees. In the end, the Commission agreed with Taylor and not the Board. Clearly our members need to hear the ACC comments and the Board needs to accept the fact that the company was, as stated by the ACC and Taylor, out of compliance with ACC orders. The Board must also accept that the fact that comments made by the ACC about our company are absolutely the business of the Board.

President Pryor stated he had a personal bias and declined to vote on the motion to exclude the statements of Meyer and Stoner, stating that the decision should be tabled until the Board could meet in a special session and discuss the issue further. In further discussion Pryor stated he was willing to remove the entire reporting of the ACC Open Hearing from the minutes. Stoner and Meyer objected to removing their statements.

All members of ICR Water Users Association should applaud the candor of Directors Meyer and Stoner and support their efforts to have the Board's minutes accurately reflect what transpired. We should be appalled at the desire of Directors Lillian and Lobaugh to sanitize the Board's minutes. The President should not support this type of effort.

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